



## Department of Energy

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MAY 22 1995

Ms. Donna Powauke  
Nez Perce Tribe  
P.O. Box 365  
Lapwai, Idaho 83540-0365

Dear Ms. Powauke:

RESPONSE TO THE NEZ PERCE TRIBE COMMENTS OF MAY 2, 1995, ON "PRELIMINARY DRAFT CONCEPTUAL PLAN" AND "IDENTIFICATION OF CONTAMINANTS OF CONCERN," PNL-10400, UC-630, DRAFT, JANUARY 1995

Attached are the U.S. Department of Energy, Richland Operations Office, responses to the subject comments. If you want to discuss this matter further or require additional information, please contact Mr. Randy Brich at (509) 376-9031.

Sincerely,

Julie K. Erickson, Director  
River Sites Restoration Division

RSD:RFB

Attachment

cc w/attach:  
S. Alexander, Ecology  
L. Gadbois, EPA  
D. Holland, Ecology  
R. Jim, YIN  
H. Rueben, NPT  
D. Sherwood, EPA  
J. Wilkinson, CTUIR

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RESPONSE TO THE NEZ PERCE TRIBE COMMENTS OF MAY 2, 1995,  
ON "PRELIMINARY DRAFT CONCEPTUAL PLAN" AND  
"IDENTIFICATION OF CONTAMINANTS OF CONCERN,"  
PNL-10400, UC-630, DRAFT, JANUARY 1995

On Assumptions:

(1) The up-front assumption of \$1M for this project is inappropriate. The Plan should be developed first without the funding issue. The fate of the Columbia River is too important, such that good assessment and investigations could be jeopardized due to funding constraints. *It is very obvious that there is inadequate emphasis on protecting the Columbia River. The Nez Perce Tribe strongly recommends DOE give their highest priority to clean up the river. The Columbia River is the most important natural resource to the Nez Perce and other affected Tribes. The Nez Perce endorses the broadening of assumptions, to include the issues as indicated in our comments for the Draft Contaminants of Concern document (Task #1).*

Response: The CRCIA Project has a high priority with DOE in determining the current human and ecological risks from Hanford-derived contaminants in the Columbia River per Tri-Party Agreement Change Number M-13-93-06 dated January 25, 1994, titled "Cleanup Strategy Documents for the Columbia River and Hanford Groundwater," and agreed by all parties by signature of the respective Project Managers on May 10, 1995. Effective cleanup decisions regarding contaminants in the river environs cannot be made until those risks are evaluated. It is thought that an appropriate assessment of the current human and ecological risks in the river can be performed on the existing data per the Tri-Party at this level of funding.

(2) How many technical peer reviewers are to be selected? Each Tribe should be represented in the core membership of these reviewers. The technical fields mentioned are too limiting, and the minimum qualifications cannot be met by all of the affected Tribes. Are the Tribes subject to these technical reviewer qualification criteria? The Nez Perce were not involved in the process of developing the technical reviewer qualification criteria. *Do DOE personnel and contractors working on the CRCIA meet the peer review qualifications?*

Response: The total number of technical peer reviewers shall not exceed 10 nor be less than four. It is possible that not all reviewers will review all CRCIA documents. The three Tribes have been allowed to appoint one reviewer that collectively represents all three Tribes. This reviewer should satisfy the minimum technical qualifications. Primary DOE and contractor personnel working on the CRCIA either meet or exceed the technical qualifications for peer reviewers.

On Task #1: Documents:

The screening process for the Contaminants of Concern document has some flaws:

(1) It only covers the 100, 300 and 1100 Areas. There was an earlier commitment to address the entire downstream of the Columbia River. In the 200 Area, there are discharges of some contaminants with highest concentrations. *The Nez Perce Tribe ERWM recommends that the entire downstream be assessed. The limiting distance of 500 ft from the river criteria for the assessment is not acceptable to the Tribe.*

**Response:** The Draft Contaminants of Concern report utilized the maximum value of any contaminant measured since 1980 either in the river or near the river as an input parameter to a conservative screening calculation. Thus, the approach was not limited to any specific operable unit. We will modify the wording to make the wider focus obvious. This report was not a downriver assessment, instead it identifies contaminants that will be addressed in further assessments to determine the current risk in the Columbia River. The use of data within 500 ft of the river was to examine contaminants imminently close to entering the river as well as those already in the river.

(2) There are contaminants that are toxic below detection limit levels and were dropped from the list. *ERWM strongly agrees with the US EPA comments on this issue.*

**Response:** The detection limits typically used in data collection at Hanford over the last 15 years meet or exceed those established by EPA. Per Tri-Party Agreement Change Number M-13-93-06 dated January 25, 1994, titled "Cleanup Strategy Documents for the Columbia River and Hanford Groundwater," and agreed by all parties by signature of the respective Project Managers on May 10, 1995, the existing data will be used in the initial screening. Should you provide us with a list of the contaminants referred to in your comment, we will check them against the detection limits and toxicity values.

(3) The effects of contaminants in the vadose zone is not considered. *Again, ERWM recommends including the vadose zone irrespective of the 500 ft limit to the river.*

**Response:** The report utilized sampling data for contaminants in the soil (includes vadose zone) as well as the groundwater. Therefore, the vadose zone is represented in the screening calculations (see Section 4.3.4, page 4.9).

(4) Concentrations of contaminants are calculated after full river dilution. The contaminants are discharged into the river from localized areas. *Specific areas of the river will exhibit greater concentrations of contaminants than the intake for the City of Richland. ERWM endorses a broadening of the project on this issue. The possibility of contaminants being locally concentrated within the Columbia River and its sediments should be thoroughly investigated.*

**Response:** Additional screens, based on the existing data, will be developed to address concentrations in seeps and riparian zones before complete mixing in the river.

(5) The screening criteria did not look into potentiation effects or the interaction of contaminants.

**Response:** The limits on the conservative screens are set very low for each contaminant. If interactions do occur, they are not expected to increase the risk by even an order of magnitude, thus the eliminated contaminants are not expected to contribute significantly to risk.

(6) The EPA guidance document for humans was misused, particularly in the non-hazardous screening. PNL used the guidance documents document for both humans and the environment. *The Nez Perce recommends modification of the guidance document to include the environment, if there is no guidance document for both humans and the environment.*

**Response:** The EPA guidance document was misapplied in eliminating aluminum, calcium, iron, magnesium, potassium, and sodium from consideration in the ecological screens. These contaminants will be used in the ecological screens.

#### On Task #2: Assessment:

The assessment should cover the entire downstream. On Assessment #3, climate and time of year should be considered. On Assessment #5, potentiation effects should be included.

**Response:** The assessments will consider effects downriver as well as in the Hanford Reach. It has not yet been determined whether the data will support climate and time of year variations in Assessment #3. An attempt to collect and use data on potentiation effects will be made during conduct of Assessment #5.

#### On Task #3: Public Involvement:

The Nez Perce Tribe recommends the change to TRIBAL AND PUBLIC INVOLVEMENT.

**Response:** The wording will be modified as recommended.

#### On Initial Cr<sup>+6</sup> Results:

The Nez Perce Tribe is concerned about the initial Cr<sup>+6</sup> results at 100-H Area. A significant portion of the data (especially at the riverbank seepage) is beyond the chronic level of 11 ppb for fish. Although the drinking water criteria is 100 ppb, we require the chronic level of 11 ppb, because salmon is a dominant subsistence food of the affected Tribes. The Nez Perce Tribe recommends a more representative sampling not only at the 100-H Area but also at places where redds are significantly present.

**Response:** Additional sampling of Cr<sup>+6</sup> is planned for late summer 1995. The proposed sampling plan will be discussed with the Nez Perce Tribe prior to its implementation.